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May 28, 2003

<u>**Via Electronic Filing**</u>

Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Re: *Notice of Ex Parte Presentation:* In the Matter of Petitions of US LEC Corp.
and T-Mobil USA, Inc., *et al*, for Declaratory Ruling Regarding Intercarrier
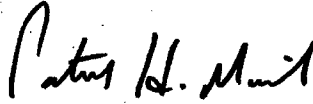Compensation for Wireless Traffic, CC Docket No. 01-92

Dear Ms. Dortch;

On Tuesday, May 27, 2003, Henry Hultquist, representing MCI, Richard Juhnke and
Norina Moy, representing Sprint and Robert Quinn Jr. and I, representing AT&T met with
Christopher Libertelli, Legal Advisor to Chariman Michael K. Powell, Lisa Zania, Senior Legal
Advisor to Commissioner Jonathan S. Adelstein and Scott Bergmann, of the Wireline
Competition Bureau discuss the above mentioned petitions. AT&T, MCI and Sprint urged the
FCC to deny the US LEC petition as it seeks the ability to impose additional access charges on
interexchange carriers, when in fact, the CLEC provides no access service or functionality.
Where a CLEC simply inserts itself between the CMRS provider and the ILEC tandem, it
provides no genuine access function and should not be permitted to charge the interexchange
carrier access. In the situation where a CLEC actually replaces the ILEC in providing the
tandem switching or other genuine access functions, the CLEC should only be permitted to
charge the ILEC rate for the access functions that are actually being performed by the CLEC, not
the full CLEC benchmark rate as requested by US LEC.

The positions expressed by the three companies were consistent with those expressed in
their previous filings in the above referenced proceeding.

Consistent with the Commission rules, I am filing one electronic copy of this notice and request that you place it in the record of the proceedings.

Sincerely,

CC: Christopher Libertelli
        Lisa Zania
        Scott Bergmann